

FARMINGTON CITY – CITY COUNCIL MINUTES

SEPTEMBER 1, 2020

WORK SESSION

Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; City Deputy Recorder Heidi Bouck; Community Development Director Dave Petersen; Associate City Planner Meagan Booth; Planning and GIS Specialist Shannon Hansell; Assistant City Manager/Economic Development Director Brigham Mellor; Assistant City Manager/City Engineer Chad Boshell; Fire Chief Guido Smith; and Recording Secretary Deanne Chaston.

PARK AND MAIN PRELIMINARY PUD MASTER PLAN

Mayor Jim Talbot said the public comments tonight will be held to 3 minutes each and may be emotional. He said he has been studying the Park and Main agenda item and is struggling to understand it fully.

Planning and GIS Specialist **Shannon Hansell** addressed the Council. This project is on Compton Bench and is zoned Large Residential (LR) and Business Park (BP). The developer could do six lots and one office lot there without even having to come to the Planning Commission first or using the subdivision process. If the developer did this, the burden of ensuring the public improvements would shift to the building department, specifically Building Official **Eric Miller**. She said it would be a lot more work for the building department compared to the City Engineer handling it through the subdivision process. It would involve each lot having an entrance on Main Street, which would be difficult and the Utah Department of Transportation (UDOT) would not want that. The 30 percent slope on Compton Bench may become neglected and the City would have no architectural or design control of the homes.

Hansell said having the Planned Unit Development (PUD) instead would be a great benefit, allowing consideration to stabilize the steep slope, public input, and oversight of the architectural design of the project. With the PUD, the application is for detached townhome style homes along main street, with one big lot behind with a small buildable piece. An existing home would have to be torn down. She said to use the PUD proposal, the developer is looking for one more lot than is allowed by the underlying zoning. However, the City would get more input, improvements would be installed all the same time under the direction of the City Engineer instead of the Building Department, and property values of the homes would have a better chance of increasing in value over time with garages in the back.

Councilwoman **Rebecca Wayment** asked if the PUD overlay is approved, does that mean there would be sidewalk on that side of Main Street. Mayor **Jim Talbot** answered yes. **Wayment** asked what the square footage of the Ascent building is across the street. Community Development Director **Dave Petersen** said the footprint of the proposed office building in this project would be 7,000 square feet, or about half the size of the Ascent building.

Hansell said that when the Planning Commission recommended the PUD overlay, they identified four issues:

- 1- Elevations of the office building were not acceptable. They thought they were austere, and want the developer to go back to the drawing board.
- 2- The parking lot is double the size it needs to be. It was proposed to be 77 parking spaces, but needs to be 44 spaces minimum based on the 7,000 square feet of the office building and type of business.
- 3- The large lot behind the home.
- 4- A landscaping plan was not included when the proposal came to the Planning Commission. It is needed because the area is highly visible. The plan needs to address increased stability of the slope.

Hansell said the staff's recommendation is to go with the PUD overlay option. However, she said the City Council can table this decision and send it back to the Planning Commission to resolve the four issues. She said the PUD overlay and subdivision schematic is more desirable.

Petersen said the City Council's comments are valuable at this point. He wants a Site Plan Recommendation Committee—with Planning Commissioners and City Council members sitting on it—to also give input. He said developers usually put in 1.5 times the parking spaces needed.

Hansell said the increase in parking spaces may be due to the anticipated medical use of the building.

Petersen said that a year and a half ago, a proposal for this property came before the City and residents were worried then about commercial creep. City Manager **Shane Pace** said residents are concerned with site lines at that intersection with busy roads. He said there is going to be plenty of room to move the office building north or east to install more landscaping.

The tip of this property is zoned BP, and **Petersen** suggested leaving the underlying zones the way it is. To get an extra lot, the developer has to set aside a certain amount of open space or give amenities. If the developer does a lot of landscaping around the office building and plants trees, they easily meet the requirements.

Mayor Talbot said he had met with the developer earlier that day. He thinks the townhomes are a good idea, but wants to take away a third of the parking lot. With a green belt around Compton, spring drainage could be detained.

CHESTNUT FARMS PUD MASTER PLAN

Hansell addressed the Council about Phase 5 Preliminary PUD and Schematic Subdivision Plan with accompanying Zone Change. In 2012 the City Council approved the Chestnut Farms Street Master Plan, which denied a connection to 1525 West via 475 South because of neighborhood objections. The current application follows that 2012 Master Plan except now Symphony Homes, the developer, has not provided a stub street to the Bangerter and Jung properties.

This amendment has been proposed in light of the Chestnut Farms PUD Schematic Plan for Phase 5. This phase includes 25 lots, 1.14 acres of unimproved open space, with connection to Buffalo Ranch Trail and 1525 West for pedestrian circulation. The area proposed for Phase 5 retains a section of Agriculture zoning. Symphony Homes would like to update the zoning to AE (PUD), following the rest of the PUD.

Hansell said the question is: does the City require Symphony Homes to stub a street as shown consistent to the original 2012 master plan, or does the City instead force traffic to come out through 300 South in the future over time if Bangerter does develop? **Petersen** said if one neighborhood shifts their traffic burden to another neighborhood, there needs to be a neighborhood meeting to let the residents all know.

There was discussion on the size of the lots in Phase 5. If lots are required to be half acre, then the developer would get four less lots.

Petersen said staff recommends stubbing a street through to the Bangerter property. However, staff is indifferent about stubbing to the Jung property, as they have lots of frontage elsewhere.

REGULAR SESSION

Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; City Deputy Recorder Heidi Bouck; Community Development Director Dave Petersen; Associate City Planner Meagan Booth; Planning and GIS Specialist Shannon Hansell; Assistant City Manager/Economic Development Director Brigham Mellor; Assistant City Manager/City Engineer Chad Boshell; Fire Chief Guido Smith; City Attorney Todd Godfrey; and Recording Secretary Deanne Chaston.

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 7:00 p.m.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Councilwoman **Amy Shumway** offered the invocation, and the Pledge of Allegiance was led by Councilman **Shawn Beus**.

NEW BUSINESS:

Intercounty Automatic Aid Fire Agreement

Fire Chief **Guido Smith** presented this agenda item. He said this is a formal document that binds the City Fire Department to do what they have already been doing. This benefits Farmington as the receiver of mutual aid from other fire and EMS entities in Weber and Davis counties.

Motion:

Councilman Brett Anderson moved to approve the Intercounty Automatic Aid Fire Agreement with Davis and Weber County-based Fire Departments listed in the Agreement.

Beus seconded the motion. All Council members voted in favor, as there was no opposing vote.

PUBLIC HEARINGS:

Park and Main Preliminary PUD Master Plan and Schemati Subdivision Plan with Possible Zone Change – MJC Holdings, LLC

Planning and GIS Specialist **Shannon Hansell** presented this agenda item. Without going through the subdivision process or Planning Commission, and with the conventional underlying zoning, the developer could get five residential lots and a sixth business lot on this property. This would mean installation of the guardrail, curb and gutter on Main and Compton would go in piecemeal, a bit at a time, and there would be five access points off main street. **Hansell** said this is not in the best interest of public safety. The burden public improvements would have to meet standards would shift to the Building Department, which would create delays as that department doesn't typically handle that. The back side would go to weeds and wouldn't protect the hillside. Lot 1 has natural springs and wetlands. Without the Planned Unit Development (PUD) overlay, the City wouldn't be able to ensure slope stability, have architectural control of the proposed townhomes and small office space, or offer the public any formal opportunity for comment.

However, with the PUD plan option, the City gets oversight and the developer is asking for one more lot than allowed. The proposal is for smaller lots with detached single-family dwellings with only one shared access off of Main. For Lot 1—the home behind homes—surrounding neighbors have a say and the PUD overlay would ensure a public improvement consistent with standards. **Hansell** said there would be no unsightly garage doors, which makes Main Street more walkable. Design input would be required, and property values would be better over time with the PUD.

When the Planning Commission recommended the PUD overlay, they identified four concerns:

- 1- Elevations of the office building were not acceptable. They thought they were austere, and want the developer to go back to the drawing board.
- 2- The parking lot is double the size it needs to be. It was proposed to be 77 parking spaces, but needs to be 44 spaces minimum based on the 7,000 square feet of the office building and type of business.
- 3- The large lot behind the home.
- 4- A landscaping plan was not included when the proposal came to the Planning Commission. It is needed because the area is highly visible. The plan needs to address increased stability of the slope.

Joshua Cummings (1952 Kingston Road, Farmington, Utah) represented the applicant. He said that the applicant has changed their outlook since first proposed 18 months ago. It now includes buffering for neighbors, a smaller office building, and a single shared access.

Community Development Director **Dave Petersen** said Staff is recommending that if the City Council finds the PUD to be the better option, that they table any action and send it back to the Planning Commission to grapple with the unresolved issues. He also recommended a Site Plan Architectural Review Committee—with both Planning Commissioners and City Councilmembers on it—to address this project.

Mayor Talbot opened the Public Hearing.

Allison Croft (764 N. Main Street, Farmington, Utah) addressed the Council. She said her residence abuts this property. She loved all the recommendations that the Planning Commission made. She said of the 1.7 acre lot behind her house, only 0.12 is buildable. There is 30 feet between her back fence and the hillside, which is where the buildable part of that lot would be. If a two-story home is built there, it would tower over her home, and she doesn't love that they would be able to watch her children play in the yard. **Croft** asked if the entire 1.7 acre lot could be left as open space. She has followed this proposal in the last 1.5 years, and this one is better than the previous "monster office" plan. She prefers the PUD option, reducing the "sea of asphalt," and including more landscaping.

Dave Dixon (47 N. 100 W., Farmington, Utah) addressed the Council, referencing a letter he wrote the City Council and Mayor with an attached list of names. He said the Council has three options: conventional, conservation subdivision, and PUD, which gives the City more control. He said if the City goes with the PUD option, the developer needs to be required to do something like others have done such as a trail system, more open space, or a playground. **Dixon** said the residents are giving up a lot to allow smaller homes to come in, and the City should get all they can out of it. A lot of his neighbors are concerned, and they want to see the trade-off. He said the proposed parking lot is oversized, and he doesn't want more approved parking stalls to lead to the developer increasing the size of the proposed office building.

Curt Knudsen (799 N. Oakridge Drive, Farmington, Utah) addressed the Council, saying 60 people signed the letter **Dixon** referred to. He wants to see this project developed the right way, and this proposal is better than the one 1.5 years ago. However, he said the office building as proposed isn't too attractive and the houses are very skinny. He is concerned with the hillside, especially after all the trees were torn down. He said there are still a lot of people who don't know what is going on and would like input. **Knudsen** said he would hate to have the City give up control and oversight of the project.

Lori Conover (469 Quail Run Road, Farmington, Utah) addressed the Council electronically over Zoom. She said this plan is much better overall, and she doesn't see a need for a zone change. She would like to keep the feel of old downtown Main Street.

Mayor Talbot closed the Public Hearing.

Beus asked if the conservation option mentioned by Dixon would give the City anything that the PUD doesn't. **Petersen** answered that conservation is more administrative than legislative, the lot sizes and configuration will not work in a conservation subdivision, and a conservation is not allowed in the BP zone. The PUD option gives a lot of leverage and control over the appearance of the office building, setbacks, and common driveway. He said the only two options are PUD and conventional.

Anderson said he likes the "outside the box" thinking on this project. He said the developer gets an additional lot, but the trade-off is the City gets to control a unique piece of land with challenging characteristics of traffic, slope and hillside. He feels the City gets a lot more than

they lose as they can address screening, landscaping, and detrimental effects on neighboring properties such as the Crofts. The PUD option gives more of a say to the City than the conventional approach, and the ability to protect neighbors is enhanced. He would like to see open space on the periphery, landscaping, and mitigation to prevent erosion. It would be a hazard to citizens if the City didn't address those issues.

Shumway said having the PUD is the best option, but she would like to push to have more green space and a smaller parking lot. The office building could be pushed more north to create more green area on the Compton Road frontage. A transition piece could be created on the north side of the parking lot to serve as green space with a sitting area, benches, grass, and water detention. She wants to see more elevations, but thinks those provided are quaint and cute, reminiscent of Tudor houses. She likes the parking in the back of the homes. The office building elevation is a little flat and too simple. She would like to table further action on this item in order to figure out what Lot 1 is going to be.

Anderson asked if the number of stories on a house on Lot 1 could be controlled. **Petersen** answered yes. He mentioned that in the BP zone on the tip, parking could be built under the office building, which is something Staff does not recommend. However, under the PUD, the City can guide elevations of the office building as well.

Councilman **Scott Isaacson** said this is a difficult property to develop, and complimented the developer and applicant for their plans. However, he is concerned about the house behind the house, and would like to see that area considered for green space instead.

Motion:

Shumway said the Council all agrees that the PUD is more desirable. As such, she moved to table action to allow the developer time to work with the Planning Commission and resolve the issues identified, 1-4. She added a fifth and sixth issue: adding more green space on the corner, and making a transition by the housing and parking lot. She would like the developer to rethink Lot 1 and choose what is the best option, whether it be green and open space or building a structure. She would like to have the results brought back for City Council consideration.

The issues 1-4 include:

1. The existing elevations of the proposed office building could be much better.
2. The parking lot is too big.
3. Is it possible to place a home behind a home and if so, how will it lay out? What will it look like?
4. Landscaping plan is required and absolutely necessary, especially to maintain and preserve the slope embankment on site.

Councilwoman **Rebecca Wayment** seconded the motion. All Council members voted in favor, as there was no opposing vote.

Petersen said staff would like to leave the underlying LR zone the way it is and have the PUD overlay. When the City first considered something on this site 1.5 years ago, residents did not

want commercial creep going up Main Street. City Attorney **Todd Godfrey**, attending electronically via Zoom, said a City Council vote on the zoning issue was not needed if they wanted to leave the underlying zoning as is.

Chestnut Farms PUD Master Plan Amendment and Phase 5 Preliminary PUD and Schematic Subdivision Plan with Accompanying Zone Change

Hansell presented this agenda item. In 2012 the City Council approved the Chestnut Farms Street Master Plan, which denied a connection to 1525 West via 475 South because of neighborhood objections. The current application follows that 2012 Master Plan except now Symphony Homes, the developer, has not provided a stub street to the Bangerter and Jung properties.

This amendment has been proposed in light of the Chestnut Farms PUD Schematic Plan for Phase 5. This phase includes 25 lots, 1.14 acres of unimproved open space, with a pedestrian pathway connection to Buffalo Ranch Trail and 1525 West for pedestrian circulation. The area proposed for Phase 5 retains a section of Agriculture zoning. Symphony Homes would like to update the zoning to AE (PUD), following the rest of the PUD.

Petersen said if the second cul-de-sac is not approved, there would be one super block, which does not meet subdivision standards, which calls for 800 feet. This would lead to increased traffic from 165 homes, which is not good for a lot of reasons including public safety specific to ambulance and fire response times.

Petersen said staff is indifferent about the stub street to the Jung property, since that land has plenty of frontage on 1525 West. There are complex wetlands issues there, but it is possible to cross a narrow neck of wetlands to 1525 West. He said the current City Council can deviate from a previous City Council's decision, and the City's Traffic Engineer said the current roads can handle the increased traffic. There are 30-year plans for a Utah Department of Transportation (UDOT) interchange with the West Davis Corridor in the area.

Applicant **Jared Schmidt** (111 South Frontage Road, Centerville, Utah) addressed the Council. He said they would make sure the two cul-de-sacs did not have drainage that is problematic to the neighbors.

Beus asked if **Schmidt** had any schematic plans with connections into Bangerter. **Schmidt** answered that that would cause the need for a large retaining wall, similar to a previous one which had to be built 8 feet high, with a 5 to 6 foot fence on top of it. This previously received a lot of backlash. That would have to be done on the back of the two proposed cul-de-sacs also, in order to distribute the 8 feet over a 100 foot length. While the developer has looked at that possibility, he said it causes some different issues.

Applicant **Bruce Robinson** (111 South Frontage Road, Centerville, Utah) addressed the Council. He said he had been blindsided since ideas shared tonight had never been shared with the applicant after months of working with City Staff. It would pose challenging changes to the developer's layout, financial pro forma, amenities, and drainage pipe. He said residences

proposed to not be a corner lot would have to be turned into a corner lot if changes to streets were made.

Mayor Talbot addressed **Godfrey**, who was attending the meeting electronically. He said **Robinson** feels blindsided to things the staff had said that night, and that the public hearing had not been opened yet. He asked **Godfrey** about the protocol for withdrawing an application or withdrawing from tonight's discussion. **Godfrey** answered that he would allow the applicant to withdraw, and he was concerned if the applicant is hearing things he had never heard before. **Mayor Talbot** said the applicant could postpone the issue in order to get an adequate chance to respond, as well as sit and discuss things with City Staff. He was not sure if a public hearing would do any good if it is not known exactly what is on the table.

Robinson said he is not sure if the City Council would be voting on a redrawing and realignment of roads. **Beus** said the Council is trying to correlate the developer's current proposal with the 2012 Master Plan. **Robinson** replied that Symphony didn't even own the land in 2012. He feels really bad about this, and it could cost him the whole project.

Isaacson said City Councilmembers got their packets Thursday of last week, and the Council isn't considering anything that was not in the packet. The staff report was a public document that was made available last week. He said the current proposal requires a change to the City's Master Plan.

Mayor Talbot said this item should be tabled, as he is uncomfortable with the accusations. When accusations come out, that alarms him. **Mayor Talbot** recalled that **Robinson** was present at the 2012 meeting in question. He wants the Staff to adequately sit down and go over the items with the applicant, so they can be on the same page. The public hearing can be done at a later time, perhaps in a month or so. **Godfrey** said that is a wise course of action. He is in favor of tabling the agenda item and not hearing from the citizens tonight.

Anderson said the Council was comparing the status quo with what was being asked. There was not an attempt to have a vote to extend a road. It was going to be just a yes or no vote to the map that Symphony created.

Shumway said she had received emails about the project related to density on the two cul-de-sacs. **Isaacson** said he would like to table this item, as he doesn't want the applicant to feel concerned. He is concerned about density, and bigger lots would be nice. Connectivity is needed. **Wayment** would like to table this and postpone the public hearing so the public can make sure they are commenting on what is actually being proposed, as it might change in the near future. **Beus** would like to wait until a more defined proposal is on the table.

Motion:

Isaacson moved to table the request for modification of the Master Street Plan, and request that the applicant and Staff work to come back with a revised application.

Beus seconded the motion. All Council members voted in favor, as there was no opposing vote.

Robinson thanked the Council.

Petersen said that he and his staff had met with the applicant for 40 minutes earlier that day. **Mayor Talbot** said he did not want fingers pointing at Staff. He said he does clearly remember that 2012 meeting, as this item was a big concern. Former Councilman **Cory Ritz** was really frustrated when he went through that discussion. He said the current Council needs to look at what the 2012 Council did, because there was frustration that Symphony wasn't willing to do a few things.

City Manager **Shane Pace** said he finds it hard to believe that it is possible to change a Master Plan when you don't know what it used to be. He believes what happened tonight was a little disingenuous.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including approval of appointing **Jedd Powell** as a Trails Committee Member. **Mayor Talbot** said he would prefer the opportunity to personally meet any committee member at a City Council meeting prior to their appointment being formally approved. **Pace** said that the **Mayor** appoints committee members with the consent of the Council.

Shumway said this could be put on the agenda in two more weeks in order to get **Powell** to personally attend the City Council meeting. She said personal contact with the City and the Mayor makes appointment to a committee more validating.

Motion:

Beus moved to have **Todd Argyle** come to the City Council during their next meeting to introduce **Jedd Powell** prior to his acceptance of his appointment to the Trail Committee.

Shumway seconded the motion. All Council members voted in favor, as there was no opposing vote.

GOVERNING BODY REPORTS:

City Manager Report

Pace said that the Cook family is requesting to name a road in their project Cook Lane. The road would continue over to the north side of the city park and business park. He said he is not in favor of that name, and asked the Council for their input. **Pace** said the developer can name an inside subdivision or private street Cook Lane. **Mayor Talbot** said he supports **Pace** on this. **Wayment** asked if it could be named in two sections, like Clark Lane and State Street. **Petersen** said Clark Lane and State Street didn't touch in the past. Clark Lane was 100 North, and the County came in to do the swoop to connect them in 1989. All Council members gave a thumbs down to naming the street Cook Lane. **Pace** said the City will need to come up with a name for the street soon.

Pace said he met with **John Saltzgiver** to speak about affordable housing. He said **Saltzgiver** was not willing to drop prices 10 to 15 percent lower than market rate, and it may not be wise for

the City to subsidize \$70,000 per unit for two units at this time. The \$1 million the City has could create 60 to 70 affordable units. Hopefully the Affordable Housing Committee can come up with a better way. **Beus** said the first committee meeting would be on September 22, 2020. **Mayor Talbot** said it is best to do affordable housing as a bonus, and perhaps as a few units that blend in with others inside a multifamily project.

Pace said he has bad news that the upstairs office renovation may cost more money than originally anticipated. The original bid included paint and carpet patching, not repainting and carpet replacement. The carpet guy said it is not possible to patch the carpet. So, costs will go up about another \$30,000.

Pace said he has good news in the fact that the City's actual revenue came in \$100,000 higher than anticipated during budget projections. Before COVID hit, the City's revenue was projected to be \$500,000 over last year's revenue. Expenses have been finalized, and are over \$700,000 below budgeted expenditures. The City had to only pull \$200,000 out of fund balance instead of \$1 million. The new budget is conservative and projects only \$150,000 having to be pulled from fund balance for one-time items. Any new ongoing expenses will have to come from new revenue.

The City held back on submitting for CARES funding until it became clear from the Treasury Department and the County that it could be used for fire and police wages from April to December. The City would still have to pass an audit on that. This will be a good chunk of one-time money to go toward capital projects. The City will set it aside until they are confident in the CARES funding and audit. The City previously approved \$365,000 of their CARES funding to go towards small business grants. **Pace** suggested grassing the property that the City purchased next to Forbush Park.

Mayor Talbot and City Council Reports

Beus reported on a recent meeting with the Historic Preservation Committee. He proposed that the City Council make it a requirement in Farmington's historic areas to require any development or remodel to be reviewed by the Committee. Also, it has become clear that several members had served on the Committee only to stop a certain development. Now, there are six to seven members who have not been attending meetings or responding to emails for over a year.

Beus said the Committee would like to amend their bi-laws to require minimum attendance.

Mayor Talbot said it would nice to add an amendment requiring new Committee members to be interviewed in order to lend credibility to the appointment. Currently two members have technical expertise in the area of historic preservation, and **Beus** is a liaison, not a member of the Committee. He will work with **Petersen** on putting a cap on the number of members the Committee can have.

Shumway said the Trails Committee's broad responsibilities need to be narrowed in scope, with the City taking on some of those past responsibilities such as maintaining trails. Since trails are important to economic development, there may be funding sources that can help with trail maintenance. She said lists should be made of what parks the Trails Committee maintains and which the Parks and Recreation Department maintains. Currently, Parks and Rec maintain only

parts of trails they are called about, but there is no ongoing solution. Some trails are used so much they maintain themselves. **Shumway** said City Parks and Recreation Director **Neil Miller** is aware of these things.

Pace and **Petersen** provided an update on the Farmington Crossing HOA parking situation. The HOA does issue a 48-hour guest pass for residents, but Staff does not know why they are charging for it. They assumed all stalls were guest stalls, but residents who park in those stalls pay \$25 a month to park there. They say they have stalls available for guests, and residents are charged to use them. **Shumway** said whenever she has gone there as a guest, she was never offered a guest pass.

Isaacson asked about the property on Clark Lane where the road stubs off with a barrier. **Pace** said there is a proposal for that property that would take care of that, although he does not know if it will be successful in the future.

Mayor Talbot asked City Recorder **Holly Gadd** to sign each Councilmember up for the Utah League of Cities and Towns Conference September 23 to 25. The cost is \$149 per person.

ADJOURNMENT

Motion:

Wayment made a motion to adjourn the meeting. **Shumway** seconded the motion, which was unanimously approved.

Holly Gadd, Recorder